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JAN 29 2007

FAX TRANSMISSION**DATE:** January 29, 2007**PTO IDENTIFIER:** Application Number 10/664,063-Conf. #no.3255
Patent Number**Inventor:** Vernon E. Staton**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** VENABLE LLP

Stuart I. Smith

PHONE: (703) 760-1671**Attorney Dkt. #:** 40575-193069**PAGES (Including Cover Sheet):** 3**CONTENTS:**

Fee Transmittal Form SB/17 (1 page)
Response to Restriction and Election of Species Requirement (2 pages)
Yellow filing receipt (1 page)
FAX Transmittal cover sheet (1 page)
Certificate of Transmission (1 page)

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823513

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Application No. (if known): 10/664,063

Attorney Docket No.: 40575-193069

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PATENT PROSECUTION RECEIPT OF FILING

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JAN 29 2007

Venable Filing Number

Atty. Docket No: 40575-193069

Title of Application: EXPLOSION PROTECTION SYSTEM

Application No: 10/664,063

Patent No.:

Attorney/LAA: SIS:cja

PTO Due Date: February 5, 2007

Current Date: January 29, 2007

Filing Date: September 17, 2003

Issue Date:

The following items were received from Venable LLP, Washington, D.C.,
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U.S. PTO FEES ENCLOSED

- ☐ Transmittal Letter
- ☒ Fee Transmittal Form SB/17 (1 page)
- ☐ New U.S. Patent Application
(pages of specification/claims)
- ☐ Rule 53(d) Continued Prosecution Application
- ☐ Rule 53(b) Continuation or Divisional Application
(attach copy of specification, claims, drawings and declaration)
- ☐ U.S. National Stage Application of PCT Application
- ☐ Request for Continued Examination (RCE) under 37 CFR 1.114
- ☐ Application Data Sheet
- ☐ Substitute Specification
- ☐ Priority Document-Cert. Copy of
Appln.#: ; Country: ; Date Filed:
- ☐ Formal Drawings (sheets, Figs.)
- ☐ Inventor Declaration
- ☐ Assignment w/Cover Sheet
- ☐ Response to Notice to File Missing Parts
- ☐ Response to Notice to File Missing Requirements
- ☒ Response to Restriction and Election of Species Requirement
(2 pgs)
- ☐ Information Disclosure Statement with cited references
Response
- ☐ Amendment Preliminary Amendment
- ☐ Petition/Request for Extension of Time (mo. ext.)
- ☐ Power of Attorney
- ☐ Petition to Revive
- ☐ Sequence Listing - CDR Enclosed? Yes No
- ☐ Request for Non-Publication
- ☐ Reply Brief (in triplicate) / Request for Oral Hearing
- ☐ Confirmation of Hearing Petition
- ☐ Issue Fee Transmittal
- ☐ Certificate of Correction
- ☐ Maintenance Fee Transmittal
- ☐ Status Inquiry
- ☒ Other: (Please describe below)
- ☒ FAX transmittal cover sheet (1 page)
- ☒ Certificate of FAX transmission (1 page)
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☐ Filing Fee

☐ Surcharge Fee

☐ Additional Claim Fee

☐ Recordation/Indexing Fee

☐ IDS Fee

☐ Extension Fee

☐ Notice of Appeal Fee

☐ Brief on Appeal

☐ Oral Hearing Request Fee

☐ Petition Fee

☐ Issue Fee

☐ Publication Fee

☐ Maintenance Fee

☐ Other Fees (Describe)

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Signature of Attorney

Date

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PTO/SB/17 (07-08)
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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2006		Complete if Known	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/664,063; Conf. #no.3255
		Filing Date	September 17, 2003
		First Named Inventor	Vernon E. Staton
		Examiner Name	J. S. Bergin
		Art Unit	3641
TOTAL AMOUNT OF PAYMENT (\$) 0.00		Attorney Docket No.	40575-193089


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JAN 29 2007

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For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
Fee Description							Small Entity Fee (\$)
Each claim over 20 (including Reissues)							50
Each independent claim over 3 (including Reissues)							200
Multiple dependent claims							360
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		Fee Paid (\$)
14		- 40 =	x	=			
HP = highest number of total claims paid for, if greater than 20.							
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
2		- 6 =	x	=			
HP = highest number of independent claims paid for, if greater than 3.							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)			
	- 100 =	/ 50	(round up to a whole number) x	=			
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)							Fees Paid (\$)
Other (e.g., late filing surcharge):							

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	42,159
Name (Print/Type)	Stuart J. Smith	Telephone	(703) 760-1671
		Date	January 29, 2007

823509

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.	
Dated: January 29, 2007	Signature:  (Carla J. Allen)

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Dated: January 29, 2007 Signature: C. Allen
(Carla J. Allen)

Docket No.: 40575-193069
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED
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JAN 29 2007**

In re Patent Application of:
Vernon E. Staton

Art Unit: 3641

Application No: 10/664,063

Examiner: J. S. Bergin

Confirmation No: 3255

Filed: September 17, 2003

Atty. Docket No: 40575-193069

For: EXPLOSION PROTECTION SYSTEM

Customer No:

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PATENT TRADEMARK OFFICE

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction and Election of Species Requirement dated January 5, 2007, applicant hereby elects Group I, claims 1-5 and 10-13. Applicant further elects Species C. It is respectfully submitted that claims 1-5 and 10-13 are directed to Species C.

Applicant's elections are made with traverse and without prejudice. It is respectfully submitted that a search of both groups and all species can be conducted without serious burden on the examiner.

As noted by the Examiner, upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to not more than a reasonable number of species in addition to the

Application No.: 10/664,063

Docket No.: 40575-193069

electd species, provided that all claims to each additional species are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.146.

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested.

Dated: January 29, 2007

Respectfully submitted,

By 

Stuart I. Smith

Registration No.: 42,159

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